



# TOWN OF EAST HAMPTON

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## FREQUENTLY ASKED QUESTIONS : EAST HAMPTON AIRPORT

- 1. Q: What is the Town Board's plan related to the East Hampton Airport?**  
A: The Town Board has voted to close the East Hampton Airport (the "Airport") and open a new, private use airport ("New Airport") on the site of the deactivated Airport. The New Airport will be subject to a prior permission required ("PPR") framework to ensure that the Town Board can exert local control over operations at the New Airport. The initial PPR framework will be in place prior to the 2022 Season.
- 2. Q: Why did the Town Board wait until now to do this?**  
A: Prior to September 26, 2021, the Town was unable to close the Airport due to federal obligations that attached when the Town accepted federal money in 2001. The Town was unable to exert local control while the grant obligations were in effect.
- 3. Q: Does the Town have any obligations related to taking federal funds related to the Airport?**  
A: No, the Town's grant assurances expired on September 26, 2021. Any remaining federal obligations will extinguish upon closure of the Airport.
- 4. Q: Why won't the Town take federal funds to use at the Airport?**  
A: Taking federal funds would re-obligate the Airport and prevent the Town from exercising local control over operations occurring at the Airport.
- 5. Q: Does the Town have any obligations related to taking state funds related to the Airport?**  
A: No, the Town has not taken any state funds for Airport purposes in the past 20 years.
- 6. Q: Is the Town allowed to close the Airport?**  
A: Yes. The Town's grant assurances expired on September 26, 2021, at which time the federal obligation to keep the Airport open expired. The Town has worked closely with the FAA over the past year and received a letter from the FAA in November 2020 that set forth different options the Town can pursue in considering the future of the Airport. Two of these options suggested by the FAA involve closure of the Airport.
- 7. Q: Will the Town engage in SEQRA review?**

A: Yes, the Town will be relying on permissible segmentation of its environmental review. The Airport deactivation and opening of a New Airport has been evaluated under SEQRA and was the subject of a Negative Declaration. The long-term operation of the New Airport will be the subject of a Positive Declaration and assessed in a draft GEIS. For the 2022 summer season, a PPR framework will be used to study the environmental effects of changes to airport operations seeking to reduce or eliminate sources of noise. The draft GEIS will reflect these studies and be available for public comment. A final GEIS will respond to public comments and guide the Town Board's final decisions.

**8. Q: When will the Airport close?**

A: February 28, 2022, at 11:59 p.m.

**9. Q: What is the process for closing the Airport?**

A: The Town Board provided notice to the FAA on January 20, 2022, through FAA Form 7480-1. Then, the Airport will be deactivated on February 28, 2022. The Town is working with the FAA to resolve any logistical issues related to the deactivation of the Airport.

**10. Q: As a practical matter, how do you close an Airport?**

A: Large yellow light-up "X" signs will be placed at the end of each runway and taxiway. Notice will be provided to all stakeholders, including through emails, FAA publications, automated message recordings, and publications at and around the Airport. Moreover, the remaining "air navigation facilities" will be closed. This includes other infrastructure directly associated with aeronautical activities (e.g., no fueling, no instrument approaches, etc.).

**11. Q: Will Airport tenants have access to the Airport during the closure period?**

A: The Town will only close the "air navigation facilities." This includes runways, taxiways, runway end lights (REIL), navigation aids, the automated weather reporting service (AWOS), the instrument approach lighting, and any other "building, equipment, and systems dedicated to the national airspace system." Tenants and licensees will be able to access the Airport and any property they have at the Airport, but they will not be permitted to use the air navigation facilities. Employees should expect continuity of their duties and no change in employment with the Town per the above.

**12. Q: Does any action being undertaken by the Town extinguish or impact the contracts or rights of FBOs that are at the Airport?**

A: With respect to the Airport agreements and licenses, including FBO leases, those contracts are with the Town, not the Airport. As a result, the contracts and leases should remain effective notwithstanding the closure of the Airport and opening of a New Airport because the Town will be the sponsor of the new private airport as well.

**13. Q: Will the Airport be available for emergency use during the closure period?**

A: When the Airport closes, no use will be authorized. To the extent emergency operations are required, the emergency pilots have authority to land anywhere they deem appropriate and safe (e.g., football field, parking lot, highway, etc.). If the emergency pilots deem the deactivated Airport a safe and appropriate place to land, that is their prerogative and consistent with federal aviation regulations. But the Town will not authorize use of the closed Airport or otherwise permit its use during that time.

**14. Q: When will the New Airport open?**

A: The private airport is scheduled to open on March 4, 2022 at 9 a.m. The Town is working with the FAA and stakeholders to ensure that happens.

**15. Q: Will the New Airport look different?**

A: Although the facilities, infrastructure, and key personnel are expected to remain substantially the same, the level of activity and impact on the Town is expected to change, especially as it pertains to noisy, environmentally unfriendly, and/or unsafe aircraft.

**16. Q: What is the process for opening the New Airport?**

A: On January 20, 2022, the Town filed a separate Form 7480-1 informing the FAA that a new, private airport will be opened at the site of the deactivated East Hampton Airport. The Town and FAA are working together to address any logistical issues prior to the New Airport opening in March 2022. Upon opening, the Town will implement a system of authorized rights or Prior Permission Required (“PPR”) at the New Airport. The Town will adjust the PPR as needed to address community concerns.

**17. Q: What is the difference between a public-use and private-use airport?**

A: The main difference is that a public-use airport is open to the public while a private-use airport is for private use by its owner, or whoever has permission from the owner, and is not open for use by the public. Pertinent here, a private use airport permits the Town to address community concerns regarding noise and frequency of operations by limiting or eliminating problematic aircraft.

**18. Q: What is PPR?**

A: The FAA defines PPR as “prior permission required to have full operational use of a runway, taxiway, apron, or airport facility/service.” It effectively means that an operation cannot occur unless and until the owner (here, the Town) provides permission for that operation.

**19. Q: Why is a PPR framework advantageous?**

A: This provides maximum flexibility to the Town moving forward, including because the permissions to land can be changed or removed at any time.

**20. Q: How will the PPR framework be determined?**

A: The PPR framework for 2022 will be implemented as a study mechanism under the State Environmental Quality Review Act (“SEQRA”) to gather information on environmental impacts resulting from a variety of measures in an effort to reduce negative impacts associated with noise, environmental, and/or safety concerns at the New Airport, for inclusion in the draft Generic Environmental Impact Statement (“GEIS”) being prepared by the Town. After public comment on the draft GEIS, a final GEIS will be prepared that will guide future PPR implementation by the Town.

**21. Q: What is the Town considering for the PPR framework?**

A: The Town is considering all options, but it expects the initial PPR framework to include one or more of the following:

- Time-based permissions (e.g., curfew)
- Aircraft-based permissions (e.g., reduction or elimination of jets, helicopters, and/or seaplanes)

- Noise-based permissions (e.g., reduction or elimination of aircraft that have a noise signature that exceeds a defined threshold)
- Operator-based permissions (e.g., reduction or elimination of commercial operators)
- Environmental-based permissions (e.g., reduction or elimination of leaded fuel consuming aircraft)
- The Town can also address historically problematic operations, such as special VFR, through a series of permissions targeted at weather conditions and aircraft capabilities.

**22. Q: Why doesn't the Town just eliminate all commercial aircraft, including helicopters?**

A: The Town is considering all options regarding the PPR rules and expects to announce the initial PPR framework before the Season starts in summer 2022. Elimination of one or more type of aircraft or operators is within the Town's discretion but will need to be reviewed as part of the draft GEIS to ensure all stakeholder's interests are considered and balanced. The public and stakeholders will be involved in the process, including through work sessions and public comment.

**23. Q: Will the Town Code need to be updated as a result of the PPR framework?**

A: Yes, Chapter 75 will be updated to incorporate the PPR framework. The specific restrictions will not be listed in the Code and instead will be available through several public resources, such as the New Airport's Rules and Regulations, the Town Website, FAA publications, and other applicable sources. The revisions will be consistent with SEQRA's requirements, to the extent they apply

**24. Q: Does the New York State Department of Transportation ("NYSDOT") Aviation Bureau require anything of the Town to complete this process?**

A: We have been coordinating with the NYSDOT Aviation Bureau throughout this process and will continue to do so until this process is completed. NYSDOT has confirmed that they do not need to be involved in the process so long as the FAA is being consulted and federal regulations are complied with. As noted above, the Town has been working closely with the FAA throughout this process.

**25. Q: Will the New Airport be subject to FAA oversight?**

A: Generally, no. The Town will have control over the New Airport and can determine who, if anyone, can use the New Airport. The Town can also close the New Airport at any point. However, the FAA will retain authority over airspace as well as certain safety aspects (e.g., if a structure would threaten safe takeoffs or landings).

**26. Q: Does the New Airport need to have a Master Plan?**

A: No, private airports are not required to maintain or update Master Plans.

**27. Q: Does the New Airport need to have an Airport Layout Plan?**

A: No, private airports are not required to maintain or update Airport Layout Plans.

**28. Q: Will any obligations apply to the New Airport?**

A: No federal grant or statutory obligations will apply to the New Airport.

**29. Q: What about Montauk Airport? Will the Town be monitoring the effect of any changes at EH Airport on Montauk?**

A: The Town recognizes that changes at East Hampton Airport could have an impact on surrounding airports. Montauk Airport remains open pursuant to the rules enacted by its current owners. Part of the testing period this summer will consider what impact, if any, PPR rules at the New Airport have on Montauk.

**NOTE: This is for informational purposes only and should not be construed as legal advice or analysis.**